

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
In re Application of BGC BROKERS LP,  
MARTIN BROKERS GROUP LIMITED, and  
BGC SERVICES (HOLDINGS) LLP

Case No.: \_\_\_\_\_

**BGC BROKERS LP, MARTIN BROKERS GROUP LIMITED, AND BGC SERVICES  
(HOLDINGS) LLP'S APPLICATION FOR AN ORDER TO TAKE EVIDENCE  
PURSUANT TO 28 U.S.C. § 1782**

Applicants BGC Brokers LP, Martin Brokers Group Limited, and BGC Services (Holdings) LLP request that this Court issue the Proposed Order, attached as Exhibit 9 to the May 24, 2019 affirmation of Howard Rogatnick, which grants Applicants leave to take evidence for use in a foreign proceeding pursuant to 28 U.S.C. § 1782 and to serve the subpoenas attached as Exhibits 3, 4, and 5 to the May 24, 2019 affirmation of Howard Rogatnick. In support of this Application, the Applicants state as follows:

- (1) The discovery requested is limited but necessary for the purpose of aiding a foreign proceeding currently pending in the English High Court of Justice, Queens Bench Division, Claim No. HQ17XO3689.
- (2) This Application is meritorious for the reasons set forth in Applicants' Memorandum of Law filed concurrently with this Application. In sum:
  - a. The parties from whom the discovery is sought reside and/or are found within the Southern District of New York.

- b. The discovery requested is for use in a foreign proceeding before the English High Court of Justice, Queens Bench Division;
- c. The Applicants are interested persons because they are Claimants in the foreign proceeding;
- d. The parties from whom the discovery is sought are not parties to the proceeding before the English High Court of Justice;
- e. The English High Court of Justice is receptive to U.S. federal-court judicial assistance; and
- f. The requests are not unduly intrusive or burdensome.

(3) The discovery requested is highly relevant to the matter before the English High Court of Justice.

(4) The discovery requested would not be unduly burdensome for the subjects of the subpoenas.

WHEREFORE, the Applicants respectfully request that this Court issue and enter the Proposed Order attached hereto.

Dated: May 24, 2019  
New York, New York

**BRYAN CAVE LEIGHTON PAISNER LLP**

By:   
Howard M. Rogatnick  
1290 Avenue of the Americas  
New York, NY 10104  
212-541-2000

*Attorney for BGC Brokers LP, Martin Brokers  
Group Limited, and BGC Services (Holdings) LLP*